

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DAVID PETERSEN, WAYNE LITCHFIELD,
CHRISTY OGRODOSKI, LINDA JOHNSON,
and WILLIAM COHEN, individually and on
behalf of all others similarly situated,

Plaintiffs,

**NOTICE OF MOTION AND
UNOPPOSED MOTION TO
DISMISS CLAIMS OF
PLAINTIFFS LITCHFIELD,
OGRODOSKI, JOHNSON, AND
COHEN**

v.

Docket No. 1:19-cv-00741

CHASE CARD FUNDING, LLC, CHASE
ISSUANCE TRUST, and WILMINGTON
TRUST COMPANY, as Trustee of Chase
Issuance Trust,

Defendants.

MOTION MADE BY:

The plaintiffs, DAVID PETERSEN,
WAYNE LITCHFIELD, CHRISTY
OGRODOSKI, LINDA JOHNSON, and
WILLIAM COHEN, individually and on
behalf of all others similarly situated, by
and through their attorneys, **CONNORS
LLP, CUNEO GILBERT & LADUCA,
LLP, and BERGER MONTAGUE PC.**

**DATE, TIME, AND PLACE
OF MOTION:**

To be determined by this Court before the
Hon. Lawrence J. Vilardo, Robert H.
Jackson United States Courthouse, 2
Niagara Square, Buffalo, New York
14202.

Oral argument is not requested.

RELIEF REQUESTED:

An Order of this Court that the claims of
plaintiffs Wayne Litchfield, Christy
Ogrodoski, Linda Johnson, and William
Cohen be voluntarily dismissed without
prejudice. Plaintiff David Petersen
remains in the case.

**GROUND FOR
RELIEF REQUESTED:**

Federal Rule of Civil Procedure 21 and
the discretion of this Court.

SUPPORTING PAPERS:

Declaration of C. William Frick, Esq.,
and all prior pleadings and proceedings
in this action.

DATED: August 1, 2019
Buffalo, New York

s/Katherine G. Howard
CONNORS LLP
Katherine G. Howard, Esq.
1000 Liberty Building
Buffalo, New York 14202
Telephone: (716) 852-5533
Facsimile: (716) 852-5649
kgh@connorsllp.com

CUNEO GILBERT & LADUCA, LLP

Charles J. LaDuca, Esq.
C. William Frick, Esq.
Christian Hudson, Esq.
Daniel Cohen, Esq.
4725 Wisconsin Ave. NW
Suite 200
Washington, DC 20016
Telephone: (202) 789-3960
Facsimile: (202) 589-1813
bill@cuneolaw.com

BERGER MONTAGUE PC

Shanon J. Carson
Glen L. Abramson
Patrick F. Madden
1818 Market Street
Suite 3600
Philadelphia, PA 19103
Telephone: (215) 875-3000
Facsimile: (215) 875-4604
scarson@bm.net
gabramson@bm.net
pmadden@bm.net

Counsel for Plaintiffs

TO: All counsel of record